

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KELLY BROWN,

Plaintiff,

-v-

11-CV-1522

CAROLYN W. COLVIN, Commissioner of
Social Security,

Defendant.

APPEARANCES:

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OF COUNSEL:

PETER A. GORTON, ESQ.

DAVID L. BROWN, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff Kelly Brown filed this action seeking judicial review of the unfavorable portion of the Commissioner's decision which denied her some benefits under the Social Security Act. By Report-Recommendation dated March 6, 2013, the Honorable Victor E. Bianchini,

United States Magistrate Judge, recommended that the Commissioner's motion for judgment on the pleadings be denied, plaintiff's motion be granted, and the case remanded for further proceedings. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Accordingly, it is

ORDERED that

1. Plaintiff's motion for judgment on the pleadings is GRANTED; and
2. The Commissioner's decision is VACATED and the matter REMANDED for further consideration consistent with the Report-Recommendation.

IT IS SO ORDERED.

Dated: July 8, 2013
Utica, New York.



United States District Judge